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~~28-8781~~

28

10 DEC 1953

MEMORANDUM FOR: Mr. Houston

28 November 1953

SUBJECT : Proposed Regulation [REDACTED]

STATINTL

1. In answer to [REDACTED] first question (4.a.) I do believe the Regulation would serve a very useful purpose and would urge its issuance.

STATINTL

2. With regard to his second question (4.b.) I have the following specific comments keyed to his paragraphing:

2.a.(1) Not only should it satisfy the requirements of law but also Agency Regulations and other applicable regulations.

3.a. I believe the statement that authorities may be redelegated unless specifically prohibited is not legally accurate. This Regulation should not attempt to specify those which can and cannot be delegated, but should only indicate that there are certain authorities which cannot be redelegated. While strictly not a legal comment, I feel the last sentence in 3. either unnecessary or at least should be drastically modified.

3.c. I think this is the most important body of authorities. In order to clarify exactly what kind of authorities are meant, this section should be very carefully worded. I would suggest that a number of examples be given. Without careful examination generally there may not be redelegation of delegated authority to approve expenditures of funds, signing of procurement contracts, authorization of travel orders, etc.

4.a. I have inserted the word "usually" as indicated.

5.b. This sentence is not completely clear.

5.c. This is inaccurate if it is to be applied generally. There are certain situations where action by a subordinate officer "by direction" of the Chief is sufficient evidence. The prohibition would run to technical authorities in the matters of funds, contracts, etc.

7. The reference to lack of authority to ratify a prior action has its roots in a memorandum previously written by OGC some years ago but had reference to "technical authorities" and specifically referred to such matters as funds, contracts, and other statutory authorities vested in specific individuals. In general paragraph 7 should be very carefully looked at in order that it not convey an erroneous impression.

8.c.(1) I believe this one is inaccurate including the phrase "out-of-town leave for a considerable period of time." Again this one should be carefully worded since in practice the Deputy properly should act simply when the Chief is not available. Also the degree of strictness probably varies depending on the nature of authorities being exercised.

STATINTL

3. With reference to [REDACTED] third question (4.c.) I think the organization of the material is generally ok. However, the presentation is not nearly as clear and effective as it could be. I would hope that a rewrite would use less gobbledeygook and more plain English.

[REDACTED]
STATINTL

Attachment:

JSW:ugm
✓ 1-20-68

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ORIGINAL DOCUMENT MISSING PAGE(S):

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